

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

EDGAR ROYCE RANDLE-GILES,

Plaintiff,

V.

BRADLEY DAVIS, et al.,

Defendants.

Case No. CIV-24-362-J

ORDER

Plaintiff, appearing pro se, filed a Complaint under 42 U.S.C. § 1983 alleging the Enid Police Department and Bradely Davis, an Enid Police Officer, violated his constitutional rights. [Doc. No. 1]. The matter was referred for initial proceedings to United States Magistrate Judge Shon T. Erwin consistent with 28 U.S.C. § 636(b)(1)(B), (C). Judge Erwin granted Plaintiff's motion to proceed in forma pauperis and ordered Plaintiff to make a \$23.07 initial filing fee payment no later than May 17, 2024. [Doc. No. 11]. Plaintiff was cautioned that failure to make the payment would likely result in dismissal. *See id.* Plaintiff did not make the payment or otherwise communicate with the Court and on May 31, 2024, Judge Erwin issued a Report and Recommendation recommending dismissal without prejudice. [Doc. No. 12]. Plaintiff did not object by the June 17, 2024 deadline and has waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 12] and DISMISSESS the action without prejudice. A separate judgment will enter.

IT IS SO ORDERED this 27th day of June, 2024.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE